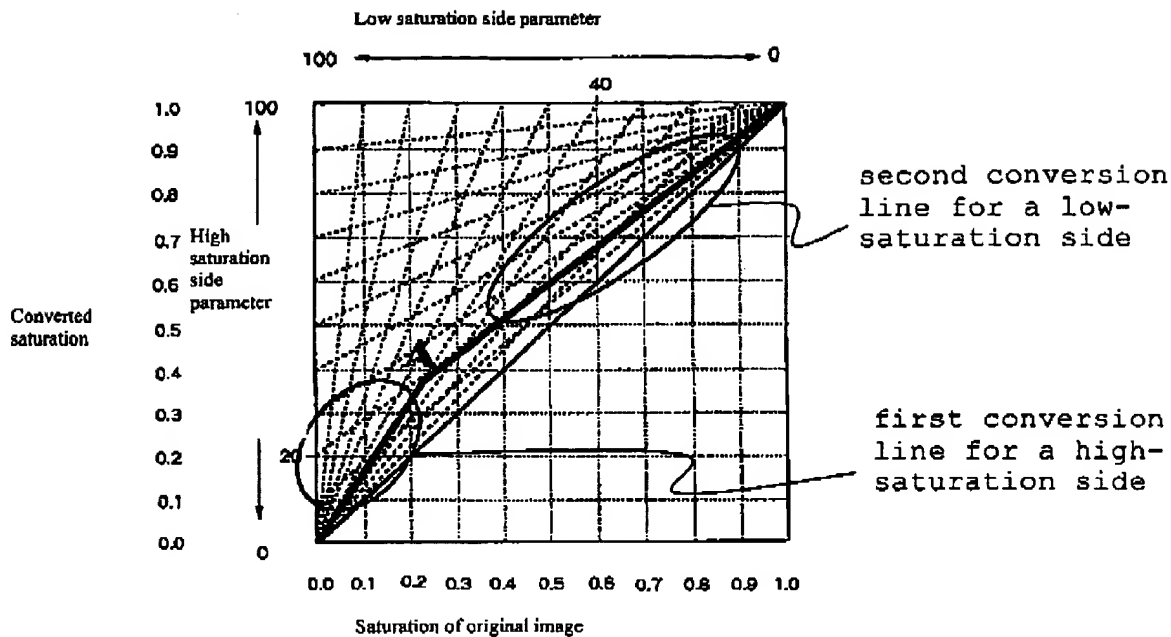


**REMARKS**

Claims 1, 4, 7, 12-16 and 19-22 are pending in this application, of which Claims 1, 16, 19, 21 and 22 are the independent claims. Claims 1, 4, 16 and 19-22 have been amended to define still more clearly what Applicants regard as their invention. It should be noted that the changes made are merely to clarify the wording, and not to narrow the scope of any claim recitation. Claims 3 and 18 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 4, 7, 12-16 and 19-22 were rejected under 35 U.S.C. § 112, first paragraph, as not being supported by sufficient written description in the application as filed. While the correctness of this rejection is not conceded, the language underlying the rejection has been deleted from the claims in an effort to avoid this as an issue. It should be noted that the newly adopted language is supported in the application as filed at least in the description of Fig. 12 (see pages 18 *et seq.*), which it is believed also supports the previous language.

As shown in Fig. 12 (reproduced below), a first conversion line for a low saturation side is illustrated by a line from point (0.0, 0) to point A and a second conversion line for high saturation side is illustrated by a line from point A to point (1.0, 1.0).



Accordingly, withdrawal of this rejection is respectfully requested.

In the outstanding Office Action, Claims 1, 4, 7, 12-16 and 19-22 also were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,031,543 (Miyashita et

al.). Applicants strongly believe, however, that each of the independent claims is clearly allowable over that patent, for at least the following reasons.

Independent Claim 1 is directed to an image processing apparatus that comprises a saturation calculation unit, arranged to calculate saturation information of an image, and first and second setting units. The first setting unit is arranged to set a first conversion line for a low-saturation side, the first conversion line converting a substantially minimum input value of a saturation of the image to a substantially minimum output value, and the second setting unit sets a second conversion line for a high-saturation side, the second conversion line converting a substantially maximum input value of the saturation of the image to a substantially maximum output value. According to Claim 1, it should be noted that the second conversion line is set independently of the first conversion line. In addition, the apparatus comprises a saturation conversion characteristic generating unit, arranged to generate a saturation conversion characteristic on the basis of the first conversion line for the low-saturation side, and the second conversion line for the high-saturation side, and a saturation conversion unit, arranged to convert the saturation of the image on the basis of the saturation conversion characteristic.

The general nature of *Miyashita* has been discussed adequately in previous papers, and it is not believed to be necessary to repeat that discussion. In the *Miyashita* apparatus, the gradation conversion conditions for data "a" and "b" of an Lab color space are set independently of each other, by a user instruction. The operation of setting the conversion condition for data "a" is illustrated in Fig. 36. When a user shifts slide bar 119 in the positive direction, the conversion line about data "a" shifts in the upper direction in proportion to the shift amount specified using the slide bar 119 by the user. A shift in the negative direction by the user produces a proportional shift downward.

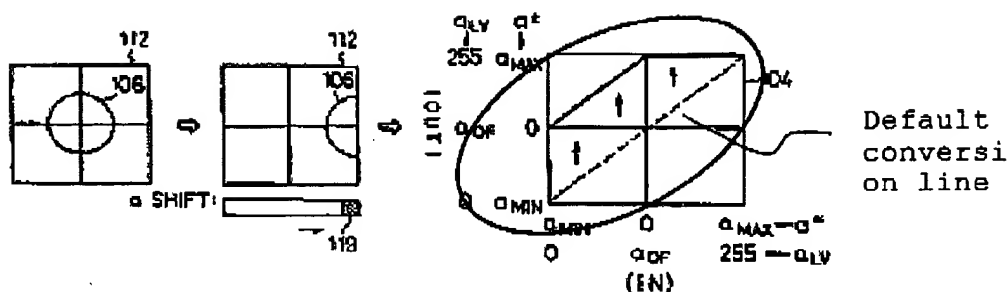


FIG. 36

Similarly, the operation of setting the conversion condition for data "b" is illustrated in Fig. 40.

When the user also shifts slide bar 118 in the positive direction, a conversion line about data "b" shifts in the upper direction in proportion to the shift amount specified using the slide bar 118 by the user, and downward if the shift is in the negative direction.

As stated, in *Miyashita*, the two conversion lines for data "a" and "b" are generated as a result of these shifts: that is, the two lines are only the result of shifting the respective default conversion lines.

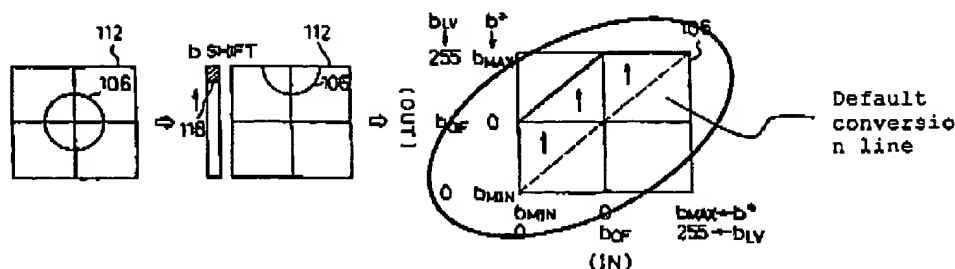


FIG. 40

As shown in Fig. 36 of *Miyashita*, a line for a low-saturation side cannot convert a substantially minimum input value of a saturation of the image to a substantially minimum output value. On the other hand, a line for a high-saturation side cannot convert a substantially maximum input value of a saturation of the image to a substantially maximum output value, as shown in Fig. 38 of *Miyashita*. *Miyashita* is silent about setting aggressively two conversion lines such as in Claim 1, and there is a difference in construction between what is claimed in Claim 1, and what is taught or suggested by *Miyashita*. Furthermore, *Miyashita* is silent about the feature of "a saturation conversion characteristic generating unit, arranged to generate a

saturation conversion characteristic on the basis of the first conversion line, for the low saturation side, and the second conversion line, for the high saturation side", recited in Claim 1.

Accordingly, for all these reasons, it is believed plain that Claim 1 is allowable over *Miyashita*.

Each of the other independent claims recites features similar to those discussed above with regard to Claim 1, and each is deemed allowable over *Miyashita* at least by virtue of the arguments advanced above with regard to that claim.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

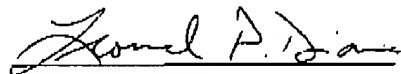
This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. At the very least, however, it is believed that the formal rejections have been overcome, and cancellation of Claims 3 and 18 eliminates all issues relating to those claims. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance

prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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